

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION,  
OPIATE LITIGATION**

**MDL NO. 2804**

**Case No. 17-MD-2804**

**Judge Dan Aaron Polster**

**THIS DOCUMENT RELATES TO:**

*Rees v. McKesson Corporation, et al.*  
MDL Case #1:18-OP-45252

*Ellis v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45464

*Simonson v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45479

*Wood v. Purdue Pharma L.P., et al.*  
MDL Case #1:18-OP-45264

*DeMaro v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45465

*Delancey v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45480

*Salmons v. Purdue Pharma L.P., et al.*  
MDL Case #1:18-OP-45268;

*Cruz v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45466

*Stewart v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45481

*Ambrosio v. Purdue Pharma L.P., et al.*  
MDL Case #1:18-OP-45375

*Paul v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45467

*Shenmake v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45482

*Flanagan v. Purdue Pharma L.P., et al.*  
MDL Case #1:18-OP-45405

*Lechuga v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45468

*Weatherwax v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45483

*Whitley v. Purdue Pharma L.P., et al.*  
MDL Case #1:18-OP-45598

*Brumbarger v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45469

*Martinez v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45484

*Roach v. McKesson Corporation, et al.*  
MDL Case No. #1:18-OP-45662

*Means v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45470

*Warren v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45486

*Hunt v. Purdue Pharma L.P., et al.*  
MDL Case No. #1:18-OP-45681

*Peterson v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45472

*Carlson v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45487

*Hanlon v. Purdue Pharma L.P., et al.*  
MDL Case No. #1:19-op-45052

*Hampel v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45473

*Flach v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45488

*Doyle v. Purdue Pharma L.P., et al.*  
MDL Case No. #1:18-op-46327

*Whittaker v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45475

*Ivie v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45489

*Moore v. Purdue Pharma L.P., et al.*  
MDL Case No. #1:18-op-46305

*Tuttle v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45476

*Cherry v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45490

*Artz v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45459

*Hamawi v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45477

*Ortiz v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45492

*Rodriguez v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45463

*Gauthier v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45478

*Meinecke v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45493

*Brant v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45494

*Williams, v. Purdue Pharma, L.P., et al.*  
MDL Case No. #1:19-op-45485

**NOTICE -NAS BABY LITIGATION**

Now come, Counsel for NAS Baby Plaintiffs, who bring notice to the Court of the following:

On August 22, 2019, the Court ordered counsel for NAS Baby Plaintiffs, in a non-document, to amend four complaints to assert class allegations.

On September 14, 2019, Doc. 2605, a Motion for Leave to File Plaintiffs' Motion to Extend Time to File Amended Class Action Complaints for Good Cause Shown Renewed Motion was filed by NAS Baby Plaintiffs;

On September 14, 2019, Doc. 2603, a Motion and Memorandum in Support to Disqualify Judge Pursuant to 28 U.S.C. Sec. 455(a) was filed;

On September 15, 2019, Purdue Pharma L.P., et al., filed for protection under Chapter 11 of the Bankruptcy Code;

On September 16, 2019, Doc. 2607, the Plaintiff Executive Committee filed Plaintiffs' Memorandum in Opposition to Defendants' Motion to Disqualify Judge Pursuant to 28 U.S.C. Sec. 455(a);

On September 16, 2019, Doc. 2608, a Stipulation and [Proposed] Order Severing Defendants Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company Inc. was filed;

On September 16, 2019, Doc. 2609, Notice of Suggestion of Bankruptcy and Automatic Stay of Proceedings was filed.

Counsel for NAS Baby Plaintiffs as of 1:00 p.m. eastern time has attempted to contact both Special Masters to no avail.

Given that NAS Baby Plaintiffs must amend cases that have been stayed and that the Court presently has a motion to recuse itself, and that no action has been taken on any motions filed before the Court for extension of time, or for severance of the Purdue interests in the MDL, Counsel for NAS Baby Plaintiffs will await further instruction from the Court.

All complaints filed on behalf of NAS Babies that would be amended pursuant to Order of this Court include Purdue Pharma and related entities and, as a consequence, cannot be duly filed at this juncture without exposing plaintiffs to contempt from the bankruptcy court; accordingly, the contemplated amended pleadings require editing of the claims against Purdue. Furthermore, even if Plaintiffs could file amended pleadings pursuant to this Court's order, in the absence of the current stay, Counsel contends that additional time is needed regarding discovery issues in order to further refine its claims.

Dated: September 16, 2019

Respectfully submitted,

/s/ Scott R. Bickford

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/s/ Kent Harrison Robbins

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**CERTIFICATE OF SERVICE**

A copy of the foregoing was filed via the Court's electronic filing system on September 16, 2019. Notice of this filing will be sent by e-mail through the Court's electronic case-filing system to all counsel of record.

/s/Scott R. Bickford  
SCOTT R. BICKFORD